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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,996	11/08/1999	MITSUHIRO WATANABE	10P319372	5995

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EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/435,996

Applicant(s)

WATANABE, MITSUHIRO

Examiner

Doug Hutton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-22 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's Respons

In Paper No. 8, Applicant submitted information, amended Claims 1, 4, 9, 14, 15, 19 and 20, added new Claims 23-26, amended the Specification, amended the Abstract, and argued against all objections and rejections previously set forth in Paper No. 7.

The request for additional information is withdrawn. All objections to the Specification, Abstract and Claims are withdrawn. The rejections under 35 U.S.C. 112, second paragraph, are withdrawn.

The objection to the drawings is maintained, as specified below. The rejections for Claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Royer et al., U.S. Patent No. 4,872,196 are modified, as specified below.

Drawings

Applicant states that a proposed amendment for Figure 1 was submitted in Paper No. 8 (see *Applicant's Response* – Paper No. 8, Page 12, second paragraph). However, Examiner could not find a proposed amendment for Figure 1 in the file wrapper. Thus, the objection to the drawings specified in Paper No. 7 is maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 23-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23:

The claim recites the limitation "disposing predetermined letters and symbols in a concentric circle form in *M directions* and *N steps*" in Lines 3-4. This limitation is indefinite because it is unclear how many "directions" and "steps" are claimed. As currently worded, the scope of the claim cannot be determined.

The claim recites the limitation "a memory unit *with a corresponding arrangement of M rows and N columns*" in Lines 7-8. This limitation is indefinite because it is unclear what composes the "arrangement" of the memory unit and to what it "corresponds."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 23 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Royer et al., U.S. Patent No. 4,872,196.

Claim 1:

Royer discloses a Japanese letter input method of inputting letters in a letter set used in a Japanese letter input device (see Column 1, Lines 5-8), the method comprising the steps of:

- prearranging predetermined letters and symbols in a matrix array of a plurality columns and rows (see Column 2, Lines 20-33 – the matrix array comprises “prearranged predetermined letters and symbols” in a “plurality columns and rows”); and
- inputting any desired letter or symbol by designating corresponding column and row coordinates with a position input means, wherein said position input means includes a direction designation unit (see Column 4, Lines 3-21 – the referenced invention discloses a “position input means” that “inputs any desired letter or symbol by designating corresponding column and row coordinates” in that it includes a “rocker” key; the “rocker” key includes a “direction designation unit” in that it inputs the desired symbol by first specifying a consonant column by rocking the key to the left and then specifying a vowel row by rocking the key to the right; by rocking the “rocker” key in two directions, the display can navigate the kata-kana matrix).

Claim 2:

Royer discloses the method of Claim 1, wherein the letter set is obtained by arranging kana letters in the 50-letter set in a matrix array of column and rows (see

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Column 2, Lines 20-33), the columns each consisting of letters assigned by the same consonant (see Column 2, Lines 20-33), the rows each consisting of letters of the same vowel (see Column 2, Lines 20-33), the symbols including the consonant mark and the p-sound mark (see Column 3, Lines 7-10 – the “B” sound is the “consonant mark” and the “P” sound is also included as specified in the cited text).

Claim 3:

Royer discloses the method of Claim 1, wherein the letter set is formed by arranging numerals and symbols in columns and rows (see Figure 1 – the numbers and symbols are arranged in columns and rows). Royer et al. also discloses a Japanese letter input method, wherein the letter set is formed by arranging romanji alphabet letters in columns and rows (see Column 2, Lines 20-33).

Claim 23:

Royer discloses a Japanese letter input method for inputting letters and symbols in a letter set for use in a Japanese letter input device (see Column 1, Lines 5-8), comprising the steps of:

- disposing predetermined letters and symbols in a concentric circle from in M directions and N steps (see Column 2, Lines 20-33 – the matrix array includes “predetermined letters and symbols” that are “disposed in a concentric circle;” for example, the letters NA, MU, NO and SU are “predetermined” and “disposed in a concentric circle” with the letter NU located at the center of the circle); and

- inputting letters or symbols by designating, in a predetermined sequence, coordinates corresponding to the M directions and N steps by using a position input device, wherein selection of letters or symbols is made using a memory unit with a corresponding arrangement of M rows and N columns (see Column 4, Lines 3-21 – the referenced invention discloses “inputting letters or symbols by designating, in a predetermined sequence, coordinates corresponding to the M directions and N steps by using a position input device, wherein selection of letters or symbols is made using a memory unit with a corresponding arrangement of M rows and N columns” in that it includes a “rocker” key that inputs the desired symbol by first specifying a consonant column by rocking the key to the left and then specifying a vowel row by rocking the key to the right; by rocking the “rocker” key in two directions, the display can navigate the kata-kana matrix).

Claim 26:

Royer discloses the method of Claim 23, wherein the letter set includes romanji alphabet letters, numerals and symbols (see Column 2, Lines 20-33).

Allowable Subject Matter

Claims 4-22 are allowed for the reasons indicated in Paper No. 7.

Claims 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Additionally, the rejections under 35 U.S.C. 112, second paragraph, for Claim 23 must be obviated.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 24:

The prior art fails to disclose or suggest a Japanese letter input method for inputting letters and symbols in a letter set for use in a Japanese letter input device, comprising the steps of:

- disposing Japanese letters in a concentric circle form in directions and steps; and
- inputting letters or symbols with a position input device by designating coordinates corresponding to the directions and steps,

wherein the letter set is a 50-letter set in which:

- kana letters of the same consonant are arranged in the same direction;
- kana letters of the same vowel are arranged on the same circumference; and
- symbols are disposed in a directional concentric form.

Claims 25:

This claim is dependent upon Claim 24 and thus includes allowable subject matter.

Response to Arguments

Applicant's arguments filed 30 December 2003 have been fully considered but they are not persuasive.

Arguments for Claims 1-3:

Applicant argues that the "direction designation unit" in Claim 1 distinguishes the invention from Royer. Applicant supports this position by explaining the differences in the input means of the invention and the input means disclosed in Royer. See *Applicant's Response* – Paper No. 8, Page 14, first and second paragraphs.

Examiner disagrees. The relevant language of Claim 1 reads "wherein said position input means *includes a direction designation unit*" (Lines 6-7). As explained in the above rejection for Claim 1, the "position input means" in Royer includes a "direction designation unit." As currently worded, Claim 1 does not distinguish Applicant's invention from the disclosure of Royer.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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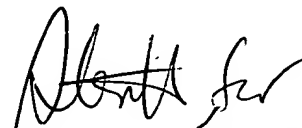
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
March 8, 2004



**HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECH CENTER 2100**